

Message Text

CONFIDENTIAL

PAGE 01 SEOUL 03710 040202Z

ACTION COME-00

INFO OCT-01 EA-10 ISO-00 EB-08 L-03 TRSY-02 CIAE-00

INR-10 NSAE-00 DRC-01 /035 W

-----013548 040211Z /62

R 030758Z MAY 78

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 860

C O N F I D E N T I A L SEOUL 3710

C O R R E C T E D C O P Y (REF STATE 102843 VICE STATE 012843)

E.O. 11652: GDS

TAGS: PGOV, PINT, KS, US

SUBJ: FRASER SUBCOMMITTEE BUSINESS QUESTIONNAIRE

REF: STATE 102843

1. FURTHER TO THE INFOR PROVIDED REFTEL, WE HAVE BEEN INFORMED BY AMERICAN CHAMBER OF COMMERCE THAT SOME 130 AMERICAN COMPANIES IN KOREA HAVE BEEN SENT, THROUGH THEIR HEAD OFFICES, QUESTIONNAIRES FROM THE FRASER SUBCOMMITTEE. QUESTIONNAIRES INCLUDE 19 QUESTIONS, MANY WITH SUB-QUESTIONS. REPLIES ARE DUE WITHIN 30 DAYS FROM RECEIPT. WE ARE UNDER IMPRESSION THAT MOST, PERHAPS ALL OF THE COMPANIES ARE REPLYING TO QUESTIONNAIRE INDEPENDENTLY, AND THAT SOME REPLIES ARE BEING PREPARED BY HOME OFFICES. CHAMBER BOARD OF GOVERNORS HAS BROUGHT TO EMBASSY'S ATTENTION ITS CONCERN THAT IN REPLYING TO SOME QUESTIONS, SOME COMPANIES MIGHT BE INCRIMINATING THEIR KOREAN EMPLOYEES, WHO COULD BE CONSIDRED SUBJECT TO PUNISHMENT UNDER KOREAN CRIMINAL CODE (LAW NO 293 OF SEPT 18, 1953, AS AMENDED). SPECIFICALLY, ARTICLE 104-2 OF CRIMINAL CODE (BLASPHEMY, ETC. OF THE STATE) WAS AMENDED BY LAW NO 2745 OF MARCH 25, 1975. AN UNOFFICIAL TRANSLATION OF ARTICLE 104-2 IS AS FOLLOWS:

(BEGIN QUOTE) ARTICLE 104-2. (BLASPHEMY,ETC OF THE STATE)

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SEOUL 03710 040202Z

PARAGRAPH 1. A NATIONAL OF THE REPUBLIC OF KOREA WHO HAS DONE AN INJURY OR HAS CREATED A FEAR OF INJURY TO THE SECURITY, INTEREST OR DIGNITY OF THE REPUBLIC OF KOREA OUTSIDE THE COUNTRY BY WAY OF INSULTING OR DEFAMING THE REPUBLIC OF KOREA OR THE ORGANS OF THE STATE ESTABLISHED UNDER THE CONSTITUTION OR BY WAY OF DISTORTING THE FACT OR DISSEMINATING FALSE

FACTS WITH RESPECT THERETO OR OTHERWISE SHALL BE PUNISHED BY
PENAL SERVITUDE OR IMPRISONMENT FOR NOT MORE THAN SEVEN (7)
YEARS.

PARAGRAPH 2. THE SAME PUNISHMENT AS DESCRIBED IN THE PRE-
CEDING PARAGRAPH SHALL APPLY TO A NATIONAL OF THE REPUBLIC OF
KOREA WHO HAS COMMITTED ANY OF THE ACTS REFERRED TO IN THE PRE-
CEDING PARAGRAPH WITHIN THE COUNTRY THROUGH UTILIZATION OF A
FOREIGNER OR FOREIGN ORGANIZATION, ETC.

PARAGRAPH 3. IN CASE OF THE TWO PRECEDING PARAGRAPHS, SUS-
PENSION OF QUALIFICATION FOR NOT MORE THAN TEN (10) YEARS MAY BE
CONCURRENTLY INFLICTED. (END OF QUOTE).
SNEIDER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT REACTIONS, QUESTIONAIRES, BUSINESS FIRMS, FOREIGN INVESTMENTS, QUESTIONAIRES, US CONGRESSIONAL HEARINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SEOUL03710
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780192-0764, D780188-0406
Format: TEL
From: SEOUL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780597/aaaadere.tel
Line Count: 76
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e72b23a5-c288-dd11-92da-001cc4696bcc
Office: ACTION COME
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 102843, 78 STATE 12843
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 17 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2803111
Secure: OPEN
Status: NATIVE
Subject: FRASER SUBCOMMITTEE BUSINESS QUESTIONNAIRE
TAGS: PGOV, PINT, KS, US
To: STATE
Type: TE
vdkgvkey: odbc://SAS/SAS.dbo.SAS_Docs/e72b23a5-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014